



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

**H.B. No. 5634 (RAISED) AN ACT CONCERNING THE COSTS OF EXTRADITING
FUGITIVES**

JOINT COMMITTEE ON JUDICIARY
March 23, 2016

The Division of Criminal Justice fully supports H.B. No. 5634, An Act Concerning the Costs of Extraditing Fugitives, and respectfully requests the Committee's JOINT FAVORABLE REPORT. This proposal is a result of the work of the Task Force to Examine Methods to Reduce Costs to Extradite, which was established pursuant to Section 2 of Public Act 15-211, An Act Concerning Revisions to the Criminal Justice Statutes and Concerning the Psychiatric Security Review Board, Domestic Violence, Condominium Associations and Depositions of Persons Living Out-Of-State.

The statutory charge of the task force was straightforward: to examine (1) methods for reducing the costs incurred to extradite an individual to the state with respect to criminal proceedings against such individual; and (2) the feasibility of permitting a court to vacate an order forfeiting a bail bond when a professional bondsman, surety bail bond agent or insurer pays the costs of extraditing the principal on the forfeited bail bond.

Chief State's Attorney Kevin T. Kane chaired the task force, joined by six other members. The task force included representatives of the bail bonds industry, law enforcement and the judiciary. The staff of the General Assembly's Judiciary Committee provided administrative support and documents related to the work of the group were posted on the Judiciary Committee's website. The Division of Criminal Justice wishes to express its appreciation to the Committee and its staff as well as to all who participated in the task force and contributed to its report and the resulting legislation.

The task force held four meetings over a period of six months focused narrowly on the issues in its statutory charge. The task force received multiple presentations and several proposals from task force members were discussed at the meetings. The public also was given an opportunity to comment. At the conclusion of the final meeting, the task force unanimously adopted a recommendation that has been drafted as H.B. No. 5634.

The bill creates a new independent account funded by the bail bonds industry and administered by the Insurance Commissioner for providing funds to the Division of Criminal Justice to facilitate the return to Connecticut of fugitives who have absconded while free on bail for crimes committed in this state. For the period from June 2014 through July 2015, the State of Connecticut conducted 87 extraditions at an approximate cost of \$163,000, or just more than \$1,800 each. Currently all of that money comes from taxpayer dollars. The fund proposed in H.B. No. 5364 is similar to other funds administered by the Insurance Commissioner for the bail bonds industry. It requires the Division to work with the bail bonds industry to develop a schedule of allowable costs associated with extradition activities. In these difficult budgetary times, this industry-funded account will provide a stable revenue stream that will assist in helping bring fugitives from justice back to Connecticut to face justice at a savings to the taxpayer.

In an effort to improve and streamline the extradition process, H.B. No. 5364 requires that all felony warrants be entered into the appropriate national database in a timely manner with suitable pre-designated geographic limits of extradition upon all arrest warrants. This effectively places in statute the longstanding existing practice, which acknowledges that there are circumstances in which it simply does not make sense to assume the cost and effort involved in an extradition. In addition, the bill gives the court the discretion to require that the absconder convicted of the underlying offense pay the cost of his or her extradition. The court may also require a defendant convicted of Failure to Appear pay a fee not to exceed fifty dollars to the new extradition account. These measures will help ensure that those that fail to appear to answer criminal charges share some of the costs in bringing them to justice.

For these reasons, the Division of Criminal Justice respectfully recommends the Committee's JOINT FAVORABLE report on H.B. No. 5364. We would be happy to provide any additional information the Committee might require or to answer any questions that you might have.